

# People's Assembly of Victoria

November 7, 2011

To: **Kate Friars**, Director of Parks and Recreation, City of Victoria  
**Dean Fortin**, Mayor, City of Victoria

From: The People's Assembly of Victoria (*PAOV*)

The People's Assembly of Victoria, founded in October 2011 and occupying Centennial Square since October 15, 2011, has extended all reasonable accommodations to both the City of Victoria and the Victoria Police Department in the same, including but not limited to

- i. The vacation of the area under the Sequoia tree.
- ii. Compliance with Vancouver Island Health Authority (*VIHA*) and the City of Victoria's Fire Department regulations.

In light of the Notice of Eviction issued November 6, 2011, it is clear that the spirit of accommodation the *PAOV* has demonstrated in its relationship with the City of Victoria and the Victoria Police Department will not be reciprocated by the same.

Attached is *PAOV's* official response to the Notice of Eviction distributed November 6, 2011 at approximately 10:30 am by a joint force consisting of members of the Victoria Police Department and the City of Victoria's bylaw enforcement.

*As ratified by the People's Assembly of Victoria General Assembly on Sunday, November 7, 2011.*

WHEREAS, the City of Victoria through the Director of Parks and Recreation, in issuing the November 6, 2011 Notice of Eviction to be enforced November 7<sup>th</sup> 2011, 12 pm, have shown themselves as unwilling and unable to protect the Charter Rights of the People's Assembly of Victoria (PAOV) to freedom of peaceful assembly [*Charter of Rights and Freedoms*, section 2c] and freedom of thought, belief, opinion and expression [*Charter of Rights and Freedoms*, section 2b];

WHEREAS, the City of Victoria and the Victoria Police Department have been both unwilling and unable to support and protect the citizens of Victoria in their aforementioned *Charter*-protected pursuit of a participatory democratic process, and as a result, have fostered an unnecessarily unsafe environment; an inaction that is directly in contravention of the legally mandated obligations flowing from the Victoria Police Department towards the population of the city;

WHEREAS, the City of Victoria has demonstrated an inability to appropriately provide the basic needs of the most disadvantaged of the city; an inaction that is directly and intentionally withholding the human rights of the same;

WHEREAS, the Supreme of court of Canada has declared Victoria's former bylaw against camping in public parks unconstitutional;

WHEREAS, the newly instituted bylaws allowing a 7pm-7am camping period in public parks continue to be unconstitutional and only remain in practice as a result of their unchallenged state;

THEREFORE, the People's Assembly of Victoria hereby declares the collective failures of the City of Victoria in both fulfilling their responsibilities and upholding the law that animates them results in the invalidity and illegality of the November 6, 2011 Notice of Eviction and any further actions taken by the City of Victoria stemming from the same.

**People's Assembly of Victoria**

**Centennial Square, Victoria, BC**

**November 7, 2011**